

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND H. DENTON, JR.,

Petitioner,

No. CIV S-03-1558 DFL JFM P

vs.

SILVIA GARCIA, Warden,

Respondent.

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On October 12, 2005, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

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1 1. The findings and recommendations filed October 12, 2005, are adopted in full;

2 2. Respondent's April 29, 2005 motion to dismiss is denied;

3 3. Respondent is directed to file an answer within thirty from the date of this
4 order and to include with the answer any and all transcripts or other documents relevant to the
5 determination of the issues presented in the application; and

6 4. Petitioner's traverse, if any, is due on or before thirty days from the date
7 respondent's answer is filed.

8 DATED: 1/31/2006

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12 DAVID F. LEVI
13 United States District Judge
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